

Item No. D-19

Court on its own motion Vs. State of H.P. & others.

CWPIL No. 46 of 2023

01.05.2025 Present: Mr. Neeraj Gupta, Senior Advocate with Mr. Ajeet Pal Singh Jaswal, Advocate, for the petitioner.

Mr. Gobind Korla, Additional Advocate General, for the respondents-State.

In spite of the categorical order passed on 27.03.2025, the State is not providing benefit of domestic help and expenses of rental and calls of mobiles and/or landline, internet service, secretariat services and security service to the former Chief Justices and former Judges or spouse(s) in conformity with the directions passed by the Supreme Court.

Response of the State is that letter 25.04.2025 has been written to the Registrar General of this Court by the Additional Chief Secretary (Home) to the Government of Himachal Pradesh, requesting therein to provide necessary details relating to financial implication(s) involved in providing the Domestic Help as per revised rates, on the analogy of State of Andhra Pradesh, annually.

Learned Senior Counsel for the petitioner has brought to our notice copy of compliance affidavit dated 08.04.2025 of the Additional Chief Secretary (Home) to the Government of Himachal Pradesh-Mr. Onkar Chand Sharma,

wherein it has been stated that the matter is *sub-judice* before the Apex Court. The same is being examined for implementing/granting the said benefits in consultation with the Finance Department and the process is likely to take some time.

We are informed that the matter is likely to be placed before the Cabinet on 05.05.2025.

Earlier Notification dated 21.03.2023 has also been brought to our notice, whereby the lump sum amount admissible per months to the retired Chief Justices and Judges for defraying the expenses of orderly, driver, security and secretariat assistance etc. has been enhanced from Rs. 14,000/- per month and from Rs. 12,000/- per month to Rs. 40,000/- and Rs. 35,000/- respectively, but the amount of Rs. 1500/- per month for defraying the telephone expenses has not been enhanced to Rs. 15,000/- per month.

The same benefit has also to be extended to the spouse(s) of the retired Chief Justices and Judges.

Order dated 15.04.2025, passed in Contempt Petition (c) No. 425-426/2015 in WP (C) No. 523 of 2002, has also been brought to our notice, whereby it has been ordered that on account of non-compliance, action under the Contempt of Courts Act, 1981 would be initiated.

Accordingly, we defer the proceedings to
13.05.2025.

We make it clear that if the State does not make compliance of the order of the Apex Court, it is liable for adverse consequences.

(G.S. Sandhawalia)
Chief Justice.

(Ranjan Sharma)
Judge

May 01, 2025
(hemlata)